

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GREGORY HARDY,

Plaintiff,

Case No. 2:05-cv-143

v

HON. JANET T. NEFF

UNKNOWN CABRERA et al.,

Defendants.

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**JUDGMENT**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. On March 1, 2007, defendants P. Harrington, R. Haas, Linda M. Metrish, Unknown Cady, M. Malette, R. Winnickic, James Gillotte, John Boynton, R. Hoornsta, M. Cope, Unknown Lacrosse, Unknown McLaughlin filed a Motion to Dismiss and for Summary Judgment. The Magistrate Judge issued a Report and Recommendation on October 15, 2007, recommending that this Court grant defendants' motion and dismiss these defendants from this action because plaintiff cannot establish that they violated his constitutional rights.

Additionally, on November 16, 2007, the remaining defendant, Numa Cabrera, M.D., filed a Motion for Summary Judgment of plaintiff's claim against him. The Magistrate Judge issued a Report and Recommendation on June 3, 2008, recommending that this Court grant defendant Cabrera's motion and dismiss this defendant from the action because plaintiff cannot establish that he violated plaintiff's constitutional rights.

The matter is presently before the Court on plaintiff's objections to the two Reports and Recommendations. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Reports and Recommendations to which objections have been made. Plaintiffs' objections do not reveal any error by the Magistrate Judge in his factual or legal analysis. The Court therefore denies the objections.

For these reasons and because plaintiff is proceeding *in forma pauperis*, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997).

**THEREFORE, IT IS ORDERED** that the Objections (Dkt 102 & 111) are DENIED and the Reports and Recommendations (Dkt 98 & 109) are APPROVED and ADOPTED as the opinions of the Court.

**IT IS FURTHER ORDERED** that the Motion to Dismiss and for Summary Judgment (Dkt 82) and the Motion for Summary Judgment (Dkt 103) are GRANTED and Judgment is entered against plaintiff and in favor of defendants.

**IT IS FURTHER ORDERED** that the Court certifies pursuant to 28 U.S.C § 1915(a) that an appeal of the Judgment would not be taken in good faith.

Date: July 10, 2008

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge